

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

Nos. 22-13410, 22-14099, 23-10387, & 23-13177

Donald J. Trump et al.,

Appellants

v.

Hillary R. Clinton et al.,

Appellees

On Appeal from the United States District Court
for the Southern District of Florida,
Case No. 22-cv-14102 (Hon. Donald M. Middlebrooks)

**APPELLEES' RESPONSE TO THE COURT'S ORDER HOLDING
THEIR UNOPPOSED MOTION IN ABEYANCE**

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Hillary R. Clinton*

CERTIFICATE OF INTERESTED PERSONS

Appellees file this Certificate of Interested Persons listing the parties and entities interested in this appeal, as required by 11th Cir. R. 26.1.

ABC Corporations

Aytch Lett, Enjolique Dion

Barry, Stephen

Barzee, William R.

Berkowitz, Sean M.

Berman, Joshua Adam

Binnall, Jesse R.

Ceresney, Andrew J.

Clattenburg, Rachel

Clinton, Hillary R.

Crenny, Kevin P.

Crowley, Shawn Geovjian

Danchenko, Igor

Democratic National Committee

DNC Services Corporation

Does, John

Dolan, Jr., Charles Halliday

Doumar, George R.A.

Eisen, Allison

Elias, Marc

Erickson-Pogorzelski, Anthony

Fassbender, Diana Marie

Feldman, Maximillian

Fels, Adam Seth

Fritsch, Peter

Fusion GPS

Garcez, Isabela M.

Garza, Kathryn E.

Gillenwater, James E.

Greenberg, Gerald Edward

Habba, Alina

Habba Madaio & Associates

Harrington, Howard J.

Hart, Nancy E.

HFACC, Inc.

Howard, Eleni Kastrenakes

Hunt, Honorable Patrick

Iguina Gonzalez, Carmen

Joffe, Rodney

Kaplan, Roberta A.

Kendall, David Evan

Klauber, Debra Potter

Klugh, Richard C.

Levine, Jonathan Edward

Levy, Joshua

Lipshultz, Zachary Andrew

Madaio, Michael T.

Markus, David Oscar

Martinez, Roberto

McNichols, John Marcus

Meeks, Katherine Moran

Mestitz, Michael

Middlebrooks, Honorable Donald M.

Monsour, Jr., Franklin George

Mook, Robert E.

Neuman, Sarah E.

Neustar Security Services

Neustar, Inc.

Ohr, Bruce

Ohr, Nellie

Olmedo-Rodriguez, Jennifer

Orbis Business Intelligence, Ltd.

Otterberg, April A.

Peacock, Benjamin

Perkins Coie LLP

Pettis, Eugene K.

Pinto, Paola

Podesta, John

Reines, Philippe

Reilly, Wendy B.

Roberts, Jared Joseph

Sainvil, Akiesha Renee Gilcrist

Sasso, James N.

Sasson, Jamie Alan

Schar, Reid J.

Schultz, Deborah Wasserman

Sigler, Geoffrey M.

Simpson, Glenn

Soto, Edward

Southall, Samantha

Steele, Christopher

Stekloff, Brian L.

Sullivan, Jake

Sussmann, Michael

Terrell, Stephen R.

Ticktin Law Group

Ticktin, Peter David

Trout, Robert P.

Trump, Donald J.

Turner, Katherine M.

Tyrrell, Steven

Warin, Francis Joseph

Wylie, John W.

We write in response to the Court's order (Dkt. 151) that Defendants-Appellees identify the number of separate briefs that will be filed and the number of words in each brief.

Appellees Hillary Clinton, Perkins Coie LLP, HFACC, Inc., John Podesta, the Democratic National Committee, DNC Services Corporation, Debbie Wasserman Schultz, Marc Elias, Michael Sussmann, Jake Sullivan, Robert Mook, Fusion GPS, Peter Fritsch, Glenn Simpson, Bruce Ohr, Nellie Ohr, Igor Danchenko, Neustar Inc., Neustar Security Services, Rodney Joffe, Charles Dolan Jr., and Orbis Business Intelligence wish to submit a joint brief of 20,000 words in the interest of efficiency and the conservation of judicial resources. After careful discussion and consideration, Appellees concluded that a joint brief of 20,000 words would be appropriate and not more than necessary to address the common issues on appeal. The extension of length for the single joint brief is sought to enable a substantially more efficient approach for the parties and the Court; these 22 Appellees would otherwise be in the position of submitting up to 22 separate briefs of up to 13,000 words each (for a total of up to 286,000 words).

We understand that three Appellees (Rodney Joffe, Charles Dolan, Jr., and Orbis Business Intelligence) also have individual issues relating to jurisdiction or sanctions which require separate treatment, although each also will participate in the joint brief as to the common issues in these consolidated appeals. We are advised by each Appellees' respective counsel that Joffe intends to submit a separate brief of no more than 2,500 words, that Dolan intends to submit a separate brief of no more than 2,500 words, and that Orbis intends to submit a separate brief of no more than 6,000 words. Each of these individual Appellees' separate briefs therefore falls well within the word limit that would otherwise be permitted by the rules.

We respectfully request that the Court grant the unopposed motion for a joint brief of up to 20,000 words, and permit the filing of the identified Appellees' separate briefs. Because the Court held in abeyance this motion on April 23, 2024, we respectfully request that the Court also set a new date for the filing of Appellees' briefs.

Undersigned counsel has the authority to make this request on behalf of all Appellees.

Dated: May 3, 2024

Respectfully submitted,

By: /s/ David Oscar Markus

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CERTIFICATE OF COMPLIANCE

This response complies with the type-volume limitation of Federal Rule of Appellate Procedure 27(d)(2)(A) because it contains 377 words.

This response also complies with the typeface and type-style requirements of Federal Rule of Appellate Procedure 32(a)(5) and (a)(6) because it has been prepared in a proportionally spaced typeface using Microsoft Word in 14-point, Century Schoolbook font.

Dated: May 3, 2024

/s/ *David Oscar Markus*

David Oscar Markus

CERTIFICATE OF SERVICE

I hereby certify that, on May 3, 2024 a copy of the foregoing response was filed with the Clerk of Court using this Court's CM/ECF system, which will serve a copy on all counsel of record.

/s/ *David Oscar Markus*

David Oscar Markus